

377.5888P



Initial Review  
BOX AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :

INOUE, ET AL

Examiner: K. Hendricks

Serial No. 08/269,118

Group Art Unit: 1814

Filed: June 30, 1994

703-308-1169

For a Patent for :

PROKARYOTIC REVERSE  
TRANSCRIPTASE

December 4, 1996

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GROUP 1800

TERMINAL DISCLAIMER UNDER MPEP § 1.321 and § 3.73

Hon. Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

The undersigned attorney of record and on behalf of the University of Medicine and Dentistry of New Jersey, residing at 65 Bergen Street, Suite 1001, Newark, New Jersey 07107-3006, represents that the University of Medicine and Dentistry of New Jersey is the assignee (by virtue of an assignment recorded on June 12, 1989, Reel No. 5110, Frames 0007-0008) of the entire interest of U.S. Patent 5,320,958 (of which the instant case is a CIP) and further states that the University of Medicine and Dentistry of New Jersey hereby disclaims, except as provided below,

the terminal part of the statutory term of any patent granted on

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the instant application, U.S. Patent Application Serial No. 08/269,118, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§1.54 to 156 and §172 as shortened by an terminal disclaimer filed prior to the grant of U.S. Patent 5,320,958, filed on February 24, 1989 and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 08/269,118 shall be enforceable only for and during such period that it and U.S. Patent 5,320,958 are commonly owned. This agreement is to run with any patent granted on the above-identified application and to be binding upon the grantee, his successors or assigns.

This disclaimer does not disclaim any terminal part of any patent granted on the U.S. Patent Application Serial No. 08/269,118 prior to the expiration date of the full statutory term U.S. Patent No. 5,320,958, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.32(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned states that he has reviewed the

Assignment documents as recorded on June 12, 1989, Reel No. 5110, Frames 0007-0008 in the Patent and Trademark Office and certifies that, to the best of his knowledge and belief, title is in the University of Medicine and Dentistry of New Jersey.

The Terminal Disclaimer fee under 37 C.F.R. §1.20(d) (\$110.00) is enclosed.

Respectfully submitted,



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HME:met

WE HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
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12/4/96 DATE SIGNATURE